

27.2(455B) Certificate of acceptance.

The governing body of a political subdivision may make application for a certificate of acceptance.

27.2(1) *Forms.* Each application for a certificate of acceptance shall be submitted to the executive director on the form "Application for a Certificate of Acceptance of Local Air Pollution Control Program". Application forms will be available at the department.

27.2(2) *Processing of applications.* The executive director shall make an investigation of the program covered by an application for a certificate of acceptance to evaluate conformance with applicable provisions of section 455B.24 (code 1973) as soon as practicable.

a. *Granting of certificate.* A certificate of acceptance may be granted by the commission upon receipt of an affirmative recommendation from the executive director, or upon favorable action following a hearing on the application.

b. *Review of program.* When a certificate of acceptance has been granted for a local air pollution control program, the commission shall provide for a review of the program activities at such intervals as they may prescribe, for evaluation of the continuation of the certificate. Following such review, the commission may continue the certificate in effect or suspend the certificate.

(1) *Suspension of certificate.* If the commission determines at any time that a local air pollution control program, is being conducted in a manner which is not consistent with the factors described herein, a notice to the political subdivision shall be provided setting forth the deviations from the standards prescribed herein. Such notice shall include a listing of the corrective measures that are to be completed within a specified period of time. If the commission finds, after such time period, that the specified corrective action has not been completed, the commission shall suspend the certificate of acceptance, and resume administration of the regulatory provisions of the statute in the political subdivision. Suspension of a certificate shall be without prejudice to the right of the applicant for requesting a hearing before the commission.

(2) *Reinstatement of certificate.* If the commission shall receive evidence that is deemed to indicate correction of the deviations from the standards, a suspended certificate

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of acceptance, shall be reinstated upon the request of the political subdivision involved. Upon reinstatement of a certificate, the political subdivision shall resume regulatory functions of the program.

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None.